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COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

RATE GENERATOR IN A VIDEO ON DEMAND SYSTEM HAVING MULTIPLE
CONSTANT BIT RATE DATA

SPECIFICATION IDENTIFICATION

The specification of which:

- ☐ is attached hereto
☒ was filed on 12/10/99 , under Serial No. 09/459,237 , executed on even date
herewith; or
☐ Express Mail No. _____ (as Serial No. not yet known)
☐ and was amended on _____ (if applicable)
☐ was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____ .

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty, there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America or of any United States Provisional Application(s) listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one

country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

☐ No such applications have been filed.

☒ Such applications have been filed as follows:

A. Prior foreign/PCT/provisional application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
U.S. Provisional	60/127,395	4/1/99	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:
Application No:
Filing date:

**PRIOR U.S. APPLICATION(S) FOR WHICH BENEFIT
UNDER 35 U.S.C. §120 IS CLAIMED**

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>		
		<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Charles Lee Thomason	Reg. No. 31,431	Eamon J. Wall	Reg. No. 39,414
Raymond R. Moser Jr.	Reg. No. 34,682	R. Gale Rhodes Jr.	Reg. No. 19833
Joseph Pagnotta	Reg. No. 39,322	Wan Yee Cheung	Reg. No. 42,410
Kin-Wah Tong	Reg. No. 39,400		

Send correspondence to:

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Red Bank, NJ 07701

Raymond R. Moser Jr.
732-530-9404

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Gerald T. Caracciolo

Full name of **sole or first** inventor:

Inventor's signature: Gerald T. Caracciolo Date: 2/11/00
Residence: 2 Mill House Lane, Cherry Hill, NJ 08003
Post Office Address: same as above

Country of Citizenship: U.S.A.

Steven Zack

Full name of **second** inventor:

Inventor's signature: Steven Zack Date: 2/11/00
Residence: 1308 Oxmead Road, Burlington, NJ 08016
Post Office Address: same as above

Country of Citizenship: U.S.A.

Full name of **third** inventor:

Inventor's signature: _____ Date: _____
Residence: _____
Post Office Address: _____

Country of Citizenship:

Full name of **fourth** inventor:

Inventor's signature: _____ Date: _____
Residence: _____
Post Office Address: _____

Country of Citizenship:

Full name of **fifth** inventor:

Inventor's signature: _____ Date: _____
Residence: _____
Post Office Address: _____

Country of Citizenship:

Full name of **sixth** inventor:

Inventor's signature: _____ Date: _____
Residence: _____
Post Office Address: _____

Country of Citizenship: